



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

July 28, 2025

**Via ECF**

Honorable Katherine Polk Failla  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: *Petróleos de Venezuela, S.A., et al. v. MUFG Union Bank, N.A., et al.*,  
No. 19 Civ. 10023 (KPF)

Dear Judge Failla:

We write respectfully on behalf of the United States of America (the “United States” or the “Government”) in connection with the Court’s order issued on July 17, 2025, directing the Government to “file a letter stating its position on the pending cross-motions for summary judgment on or before July 31, 2025.” Dkt. No. 390 at 2. We respectfully request an extension of time until September 12, 2025, to file either (i) a statement of interest expressing the United States’ position on the pending cross-motions, or (ii) a letter advising the Court that the United States does not intend to file such a statement of interest at this time.

Given the importance, complexity, and sensitivity of the issues involved, coupled with the multiple layers of review that must occur within the Department of Justice and other agencies before any potential position is finalized, the United States anticipates that it will need additional time to determine whether to file any statement of interest, and in particular whether it has any views to offer that differ from or add to the statement of interest it previously filed in this matter. *See* Dkt. No. 213 (statement of interest dated September 16, 2020).<sup>1</sup> This Office is in the process of consulting with the Department of State and the Department of the Treasury, and must also consult with and obtain approvals for any submission within the Department of Justice, as the final determination regarding whether the United States will file a statement of interest pursuant to 28 U.S.C. § 517 rests with the Assistant Attorney General of the Justice Department’s Civil Division.

The Government understands based on the transcript of the conference held on July 10, 2025, that the Court intends to resolve the pending motions by the end of September. Dkt. No. 388 (Tr. of Conf. on July 10, 2025) at 7-8.<sup>2</sup>

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<sup>1</sup> For similar reasons, the United States requested—and the Court granted—an extension of the Government’s time to submit its statement of interest in 2020. *See* Dkt. Nos. 144, 204, 205.

<sup>2</sup> The Court’s July 17 order states that the Government “was invited to attend, but did not attend, the July 10, 2025 telephonic conference.” Dkt. No. 390 at 2. Because the Court’s order scheduling

Hon. Katherine Polk Failla  
Page 2

Therefore, the United States respectfully requests that the Court modify its order to allow the Government to file, by September 12, 2025, either (i) a statement of interest expressing the United States' position on the pending cross-motions, or (ii) a letter advising the Court that the United States does not intend to file such a statement of interest at this time.

We thank the Court for its consideration of this request.

Respectfully submitted,

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cc: Counsel of record (by ECF)

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the conference directed the "parties" to appear for a conference "to discuss the issues raised in their letters," Dkt. No. 383, the undersigned did not interpret the order to invite the Government's participation. We apologize for any misunderstanding.